

Serial No. 10/005,506



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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s): Gerard J Foschini

Syed Ali Jafar

Case: 16-2

COPY OF PAPERS
ORIGINALLY FILED

Serial No.: 10/005,506

Filing Date: December 5, 2001

Examiner: Group Art Unit:

Title: Wireless Communication System With Imposed Order On Terminals

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231**

SIR:

Response to Notice to File Missing Parts of Non-Provisional Application

Enclosed is the Declaration and Power of Attorney relating to the above-identified application.

Regarding Figure 4b:

Applicants elect option III set forth in the Notice to File Missing Parts, accepts the application as deposited with the USPTO and accepts the application maintaining the filing date as of the date of deposit of the application papers, i.e. December 5th 2001.

Applicant submits that Figure 4b was inadvertently omitted, but that the application as filed on December 5th, 2001 meets the requirements prescribed in 35 USC Section 112. A full description of Figure 4b is provided in the specification as originally filed, for example on page 14, line 2 through page 16, line 19, and page 3 lines 13-14. Applicants are submitting herewith a preliminary amendment and request for approval to amend the drawings, requesting that Figure 4b be added, and explaining that no new matter is introduced by Figure 4b because Figure 4b is fully described in the specification as originally filed.

Please charge Lucent Technologies Deposit Account No. 12-2325 the amount of \$130.00 to cover the filing fee surcharge. Duplicate copies of this letter are enclosed. In the event of nonpayment or improper payment of a required fee, the Commissioner is authorized to charge or credit Lucent Technologies Deposit Account No. 12-2325 as required to correct the error.

A copy of the Notice to File Missing Parts of Non-Provisional Application is also enclosed.

Respectfully,
Gerard J Foschini
Syed Ali Jafar

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks, Wash-
ington, D.C. 20231, on 3/8/02
(Date of Deposit)

By Irena Lager

Irena Lager 3/8/02
Date

Irena Lager, Attorney
Reg. No. 39260
908-582-2188

Date: March 6, 2002



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,506	12/05/2001	Gerard J. Foschini	16-2

CONFIRMATION NO. 7975 FORMALITIES LETTER

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030



OC000000007275593

Date Mailed: 01/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Syed Ali Jafar
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **Fig 4b** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the

original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

SG

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE